**Planning Application No: 20/01238/OUTMAJ**

**Proposal:** **Outline planning permission for up to 1,000 new homes; an 80 extra care housing units (Use Class C3) as part of the affordable housing provision; a new 2 form entry primary school (D1); expansion land for Park House Academy School; a local centre to comprise flexible commercial floorspace (A1-A5 up to 2,150 sq m, B1a up to 200 sq m) and D1 use (up to 500sq m); the formation of new means of access onto Monks Lane; new open space including the laying out of a new country park; drainage infrastructure; walking and cycling infrastructure and other associated infrastructure works. Matters to be considered: Access.**

**Address:** **Sandleford Park, Newtown Road, Newtown, Newbury**

**Documents Seen:**

- Environmental Statement Non-Technical Summary
- Environmental Statement Vol. 3 Appendix G11a and G11b: Arboricultural Impact Appraisal and Method Statement Sandleford Park 10th January 2020 14281-AA7-CA by Chris Allder
- Strategic Landscape and Green Infrastructure Plan (drawing no. 04627.00005.16.632.13) ES VOL 2 Fig 4.3
- Country Park Phasing Plan (drawing no. 04627.00005.16.306.15) ES VOL 2 Fig 7.7
- Parameter Plan – Green Infrastructure Plan dated 03/02/2020 drawing no.: 14.273/PP03 Rev. G1 ES VOL 2 Fig 4.2
- SLR HISTORIC LANDSCAPE AND FEATURES – ES Vol. 2 Figure 7.5 (drawing no.04627.00005.16.605.0)
- BOYER Land Use and Access Plan Parameter Plan (drawing no. 14.273/PP02 Rev H1)
- BOYER Illustrative Layout DWG. No. 171 Job No. 14.273
- Vectos Eastern Site access 172985/A/07.1
- Vectos Western Site access 172985/A/08
- WYG Appendix F17: Woodland National Vegetation Classification Survey Report
- G8 – Schedule of Tree and Plant Species
- Sandleford Park Supplementary Planning Document March 2015
- Sandleford Park, Newbury ES Appendix G7 – LGIDMP
- Appendix I4 – Conservation Audit
- Air Quality Assessment January 2020

**Observations**

Since my previous comments on applications 16/03309/OUTMAJ, 18/00764/OUTMAJ and 18/00828/OUTMAJ two important documents both national and locally have to be considered:

- **National Planning Policy Framework February 2019**

  And the

- **West Berkshire Councils Environment Strategy 2020-2030**

National Planning Policy Framework revised: February 2019

*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.*

*Section 175 c. states development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[58] and a suitable compensation strategy exists;*

*Footnote 58, defines exceptional reasons as follows: "For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."*

West Berkshire Councils Environment Strategy 2020-2030

*• West Berkshire Council declared a Climate Emergency on 2nd July 2019. In doing so highlighted the fact that the Council, our partners and our local communities all needed to play their part in response.*

*• Strategic plan for West Berkshire, that aims to deliver carbon neutral by 2030.*

*The council's vision is to:*

*This strategy has a primary target of achieving carbon neutrality by 2030. Mitigation of the effects of climate change and the restoration and protection of our environment will have shaped our policy making and actions, as well as those of our partners, and will have made a significant impact on the district's carbon footprint. Our environmental assets will have been protected for future generations.*

*4.1 Key targets to deliver the Vision for the Environment*

*4.1.2 Carbon Neutrality will be achieved by a range of local energy generation and carbon sequestration*

*Examples will include solar and wind energy generation and tree planting.*

*6.1.5 West Berkshire council is Promoting:*

- *Woodland creation;*
- *Street tree planting and management;*
- *Orchard planting;*

The Sandleford SPD section L4:

**L4. Where possible, all important existing trees and hedgerows will be retained and integrated into the development. All areas of woodland including ancient woodland will be retained and protected.**

a) Set backs from woodland - a 15m buffer zone will be provided from all woodland on the site.

This will be measured from the centre of the trunk of the trees on the edge of the woodland.

b) Use of set backs / buffer zones - development of roads or buildings will not be permitted within the buffer zones. They can be used for informal recreation and planting and informal footpaths. Services will only be permitted in buffer zones if they do not impact on root protection zones.

c) Relationship of residential properties to trees - residential properties will either front or side onto areas of ancient woodland and will be set back from the buffer zones to ensure that they receive sufficient light and do not put pressure to lop or fell the existing trees.

**General Observations**

This application is for Outline planning permission with Matters to be considered: **Access**

With the application at this stage I would expect full details should be submitted in relation to trees/hedges and proposed landscaping with regards to the new proposed accesses shown along Monks Lane.

This would include the location and amount of hedges to be removed, specific details on the loss of the trees and detailed replacement planting to mitigate for the loss of hedges/trees/shrubs.

As the planning proposal for remainder is outline, I would suggest general heads of terms in accordance with the British Standard 5837:2012 Trees in relation to design, demolition and construction Recommendations should be included in the Arboricultural Impact Assessment and Method statement, along with tree protection plans and locations for new planting.

The application includes the submission of an Arboricultural Impact Appraisal and Method Statement for Sandleford Park by Barrell Tree Consultancy written by Chris Alder dated 10th January 2020. This shows the trees that are within the development site and adjacent that could be impacted on by the proposal.

As far as I can find there are no specific details within the Arboricultural Assessment and Method Statement regarding the specific accesses shown on the Vectos access plans: Eastern Site access 172985/A/07.1, Western Site access 172985/A/08.

- **Monks Lane Access**

    - Western Site Access – Roundabout – significant amount of hedge loss, not shown on the Arboricultural Impact Assessment, no additional planting shown to compensate for loss of trees. The Arboricultural Assessment seems to confuse the access points and shows the Western Junction Access (the roundabout) as only removal of a small section of hedgerow. The scale on the plan also seems to be a bit different?

    - Eastern Site Access – A vast amount of hedgerow would be lost over and above what I believe has been shown, no additional tree/hedge planting shown. The Arboricultural Assessment shows approximately 250 metres of hedgerow to be removed though this is not exactly clear as the scale seems a bit different.

  The current hedgerow and trees are highly significant in visual terms as you drive down Monks Lane, the proposed removal of in excess of 250+ metres without adequate and substantial mitigation of replacement planting of tree and hedge species at this stage would be detrimental to the area – This in my view is unacceptable.

- **Ancient woodlands**

  Ancient woods are defined in the UK as areas that have been continuously wooded since 1600. Ancient woods have been used by

humans for centuries, providing timber and grazing for livestock and can be subdivided into two types:

Ancient Semi-Natural Woodland (ASNW), which is composed of native trees and shrubs, though it may have been previously managed.

Plantations on Ancient Woodland Sites (PAWS), which were planted with (often non-native) broadleaved trees and conifers after the First and Second World Wars. PAWS are often less biodiverse than ASNW, but can retain some features of ancient woods.

Ancient woodland covers less than 3% of England's land mass.

This site has approximately 25 acres classed as ancient woodland (not PAWS), making it not only an important site locally but nationally.

The current proposal, though only outline at this stage proposes, new tree planting as shown on the Strategic Landscape Green Infrastructure. This will increase the area of planting between Waterlease and Gorse Covert plus the additional planting between Gorse Covert and Dirty Ground Copse. However in my opinion this does not go far enough to minimize the impact of the proposal of the Proposed 1 Form Entry Primary School on the western side which abuts the woodland within the 15m buffer zone. Further isolating Brick Kiln Copse from Gorse Covert.

The Design and Access statement states that the new planting on the site will reflect the 18th century planting as shown on the historic 1877 os map. I cannot find a copy of this map they are trying to emulate, however they have shown a 1882 map which does show a significant amount of more trees than they have shown around Waterleaze and Dirty Copse. Even the historic aerial photos of 1947 shown in the proposal show a vast increase in trees around Waterleaze up until as late as the maps in 1961. Their proposed new tree planting does not go far enough even in accordance with their own submission.

With West Berkshire Councils latest Environment Strategy following the Climate emergency there is a significant recognition that planting of trees will aide in the mitigation the effects of climate change.

By significantly increasing the planting on site and linking the existing ancient woodlands with large scale planting of locally native trees would be in line with the latest West Berkshire Council Environmental Strategy, plan and vision.

**Impacts on the Ancient woodlands**

The access Road plans show the primary main access road completely isolating Crooks Copse, this road is proposed to be between 13.8m

wide and 15m wide as shown in the design and access plans. This is unacceptable due to the isolation of the ancient woodlands. This is not shown or reflected in the Arboricultural impact assessment.

The proposed 'key cycle path/footpath' through Gorse Covert running east west linking up with the proposed school will fragment the woodland. This is unacceptable

The Sandleford Park Supplementary Planning Document shows a greater 'green' boundary on the South-eastern side of Crooks Copse than shown on the Parameter Plans submitted on this application. Creating a 'pinch point' on the southern boundary nearly isolating the woodland.

The road called the 'Crooks Copse Line' south of Crooks Copse will cause further fragmentation and an 'island effect' of the woodland from the other ancient woodlands, not shown in the Sandleford SPD.

Future pressure will be increased on the ancient woodlands from:

- domestic pets,
- Recreation/ trampling,
- Health and Safety
- Drainage/Hydrology
- Air pollution

Domestic Pets

The potential impact of domestic cats has only been considered on the bird population but it has not been considered on other wildlife populations. The most biological diverse of the woodland is Crooks Copse and this is likely to have the greatest impact by domestic cats.

Recreation/Trampling

Increased recreation through woodlands has been shown and considered on existing footpaths, by adding ballast and creating sections of boardwalks along the wetter parts, but suggests this should be considered on future reserve matters. I disagree and consider this should be considered as part of the pressure on the ancient woodland.

The upgrading of the paths with grasscrete and including street lighting on the public right of way GREE/9/1 shown on the Transport Assessment under Table 8.1 says Improved surfacing and lighting of PROW GREE/9/1, this is also shown as an emergency access with a 3m offset. This is unacceptable and not shown on the lighting

assessment or on the Ecological Mitigation Assessment, or Arboricultural Impact Assessment.

Health and Safety

The removal of dead/dying and diseased trees/branches over footpaths and close to property as a result of increased target area will result in the loss of valuable habitat for wildlife.

Drainage/Hydrology

The change in the drainage/hydrology on site is potentially likely to have an impact as the basins and conveyancing channels that will have to be cut into the existing ground, I understand this could lead to a diversion in the route of ground water flows. Impacts will need to be assessed by a drainage expert.

Even in their own Ecological mitigation management plan under section 3.2.1 they admit that the drainage has the potential to impact on the wet woodland.

Air Pollution

The air quality assessment considers there to be a high risk of environmental impact from dust on sites <20m from dust during and demolition, earthworks and construction. With the majority of the roads on the edge of the buffer zones at 15m there is a significant chance that the woodlands will be damaged as a result. The wind rose showing the majority of the wind coming from the south west with up to wind speeds of 20 knots this will blow the throughout the woodlands. Significant measures need to be considered to reduce the impact.

This is not even considered in the ecological mitigation management plan.

Buffer Zone

Although standing advice from Natural England recommends a buffer zone around ancient woodland of at least 15 metres to avoid root damage. Where assessment show other impacts are likely to extend beyond this distance, there is need for a greater buffer zone.

For example, the effect of dust from the construction of this development would result in direct impact on the ancient woodland habitats and must be avoided or compensated for if the need is judged to be truly exceptional; there is no appropriate mitigation for the loss of irreplaceable habitats.

The cumulative effect of factors increase the pressure on the ancient woodland as described have resulted in recent evidence supported by

the Woodland Trust's publication; Planning for Ancient Woodland Planners' Manual for Ancient Woodland and Veteran Trees July 2019 and standing advice from the government.

Where assessment shows other impacts are likely to extend beyond the 15m distance, you're likely to need a greater buffer zone, as shown, dust, lighting, changes to hydrology, additional recreational points, predation from domestic pets and Health and Safety.

The proposed road to the south of Crooks Copse isolates the ancient woodland, and is not shown in the Sandleford SPD or the parameter plans.

This will increase isolation of natural habitats by increasing barriers to movement (Belisle & Clair 2002). And as a result raises serious concerns that would result in the destruction of semi-natural habitats and movement through corridors between ancient woodland fragments, and ancient woods and nearby semi-natural habitats.

The applicant ecological report suggests that Crooks Copse is the most species diverse woodland.

The Environmental Strategy; APPENDIX G7: LANDSCAPE AND GREEN INFRASTRUCTURE DESIGN AND MANAGEMENT PLAN

States the following:

*9.0 Buffer Zones*
*Appropriate buffer zone widths and off-sets will be adopted between the interface of new development areas (including highway infrastructure serving them) and areas of retained woodland, trees and hedgerows, or habitat areas associated with protected species; for example:*
*• 15m buffer zone measured from outer line of trunks in ancient woodland blocks, with 10m buffer zones for other woodland areas;*
*• the root protection zones for individual trees, in accordance with BS 5837:2012;*
*• 3m to 5m off-set from centreline of hedgerows to edge of road/footpath kerb or development fence line, where possible;*
*• 30m buffer zones around three confirmed barn owl nest sites; with further buffers established around additional trees identified with particular features making them suitable for nesting barn owls; and*
*• 15m buffer retained on both sides of all streams to retain existing assemblages of marshy grasslands and associated plants.*

The Arboricultural Impact Assessment submitted shows extensive removals of trees that do not match the information submitted on the Strategic Landscape Green Infrastructure Plan or the Combined Green Infrastructure Plan.

The Design and Access statement says: *To retain and enhance all important trees and hedgerows.*

It goes on to say: *all Ancient woodlands and local wildlife sites will be retained with a 15m buffer zone which will be only used for recreational purposes, amenity and soft planting.*

This is contradictory to what ES Vol. 3 - Appendix G7 - Section 9.0 which advises that: *the ancient woodland will have a 15metre buffer and the all other woodland will have 10metres*.

All of the woodlands within the redline boundary are deemed as a local wildlife site.

<u>Mitigation measures as shown on the landscaping proposal plans</u>

Significantly more woodland planting across the whole of the site will reduce future pressure, reduce the urban heat island effect and increase the resilience of the ancient woodlands to the impacts of climate change.

Without this mitigation measure the development is likely to result in deterioration of the ancient woodlands on site, failing to meet the policy objectives of the NPPF.

- **The Arboricultural Impact Assessment**

  The Arboricultural Assessment has assessed all the trees on site and categorised them in accordance with the BS5837:2012 guidance. There are a number of trees proposed to be removed:

Tree marked as T199 is a turkey oak and is on the junction of Andover Road and Warren Road, it is a highly significant tree clearly visible from surrounding areas and is covered by a TPO. Though this is not specific to this proposal, it is detailed within the Arboricultural information submitted by the applicant.

There are another 10 trees along the Warren Lane access proposed to be removed, these are all covered by a TPO. Though these are not specific to this proposal, it is detailed within the Arboricultural information submitted by the applicant.

T76 is graded as a 'A' tree under the BS5837 guideline, however the Arboricultural report suggests it should be felled, this is a large mature oak tree with a diameter at breast height of 90cm, there is no description as to the physiological/structural condition, however as it is rated an 'A' tree it is deemed to have at least 20 year life expectancy remaining. There does not seem to be a reason within the document as to why this tree is to be removed? This is unacceptable.

The tree marked as T34 is regarded by the applicants' arborist as a high quality tree 'A' grade tree, further details shown in their report says it as an over mature veteran tree with significant decay and is shown to be felled subject to design and an application by Park House.

In accordance with the Ancient Tree Forum this tree is classed as Ancient and shown on the map of ancient trees, their definition is:

***How old is an ancient tree?***

*The exact age at which you'd call a tree ancient depends on the species of tree and other factors including the type of site where it's growing. A birch tree could be considered as ancient at 150 years old, for example, but an oak tree would not be thought of as ancient until it's at least 400 years old.*

*https://ati.woodlandtrust.org.uk/tree-search/?v=1752897&ml=map&z=15&nwLat=51.386731160090974&nwLng=-1.3507923283994416&seLat=51.369828740028325&seLng=-1.2958606877744416*

The submitted Arboricultural Assessment states the following:

> *"1.2 The impact of tree removals on local character*
>
> *My assessment of the impact of tree removals on local character is as follows:*

***Category A and B trees (T1, G16, G17, T18, T19, T34, T35, G51, T63, T64, T65, T69, T76, G110(part), T178, T179, T185, T186, T187 and T199):***

*Despite having the potential for long term retention, these trees make a limited contribution to local amenity because of the backdrop of large trees to be retained. These significant retained trees will buffer any loss to the extent that there will be no long-term impact on local amenity or character. Whilst their loss will be noticeable in the immediate vicinity in the short term, there will be no significant impact on local amenity character in the wider setting in the medium to long terms.*

***Category C trees (T2, H5(part), G6(part), H7, G36, G37, G47(part), H60, G68(part), W73(part), G108(part), H115(part), G117(part), H169(part), T180, T182, T183, H200(part), T225, T226, T227,***
***T228, G234(part), T246, G248(part)):***

*None of these trees or hedges are sufficiently important to be worthy of influencing any layout. They are not important in the overall planning context and their loss should not influence the determination of this application."*

There is no time frame given in the 'short', 'medium' or 'long' term, this can mean so many different things to so many different people. In terms of trees and the impact to the wider environment I would suggest short term would be less than 5 years, medium term would be between 5 and 20 years and long term would be greater than 20 years.

In my view the loss of these trees and hedges would have a significant harmful/adverse impact both in the short term and medium term. Even by the long term trees planted now would only be semi-mature, even if the hedges would have started to establish and mature.

Trees with bat roosts confirmed, high and moderate potential are shown on the Arboricultural Impact Assessment to be removed? The Arboricultural Impact Assessment needs show what the latest proposals are or it makes unclear what tree works are intended to be carried out.

**Summary**

- In my view the proposed loss of trees, hedges and future pressure on the ancient woodlands in line with latest national and local government guidance is unacceptable.

- As a result of the proposed access hundreds of metres of hedging will be removed if this application is approved, with no detailed landscaping in place to mitigate against the proposed access points on Monks Lane.

- The Arboricultural Impact Assessment submitted shows extensive removal of trees that do not match the information submitted on the Strategic Landscape Green Infrastructure Plan or the Combined Green Infrastructure Plan.

- The Design and Access statement says*: To retain and enhance all important trees and hedgerows.*

- It goes on to say: *all Ancient woodlands and local wildlife sites will be retained with a 15m buffer zone which will be only used for recreational purposes, amenity and soft planting.*

- This is contradictory to what ES Vol. 3 - Appendix G7 - Section 9.0 which advises that the ancient woodland will have a 15metre buffer and the all other woodland will have 10metres. **All of the woodlands within the redline boundary are deemed as a local wildlife site**.

- Formal recreation zones within the 15m buffer zones going against the SPD.

- The proposed upgrade of footpath Green9/1 to an emergency access directly impacts Waterleaze Copse.

- The proposed road to the south of Crooks Copse isolates the ancient woodland, and not shown in the Sandleford SPD or the parameter plans.

- The parameter plans around and especially to the south of Crooks Copse show an increase of urban areas therefore causing a pinch point on the southern boundary.

- The change in the hydrology is potentially likely to have an impact as the basins and conveyancing channels will have to be cut into the existing ground, I understand this could lead to a diversion in the route of ground water flows. Impacts will need to be assessed by a drainage expert.

- Even in their own Ecological management plan they admit that the drainage has the potential to impact on the wet woodland.

- The potential impact of domestic cats has only been considered on bird population it has not been considered on other wildlife populations. And the most biological diverse of the woodland is Crooks Copse and this is likely to have the greatest impact by domestic cats.

- Trees with bat confirmed, high and moderate potential are shown on the Arboricultural Impact Assessment to be removed? Updated plans and assessment need to be shown.

- The proposed removal of an ancient tree marked as T34 is unacceptable.

**Recommendation**

The proposed development by virtue of its size and setting would result in the direct loss of irreplaceable trees. The loss of these trees is unacceptable and would have an adverse impact on the amenity and character of the area in which it is located.

The proposal currently put forward is in my view will cause deterioration of ancient woodlands and in accordance with the NPPF Section 175 c should be refused.

**Reason for Refusal: The approval of the proposed development in terms of access along Monks Lane would be contrary to policies CS14, CS18 and CS19 of the West Berkshire Core Strategy and would therefore damaging to the objectives of these policies by virtue of the inadequate landscape provision.**

**Further objections as a result of future pressure on Ancient woodlands, loss of ancient and TPO'd trees and inadequate landscaping as a compensation strategy and it is not in accordance with the Sandleford SPD.**

There are a significant amount of inconstancies throughout the application which need to be addressed.

Substantial increase in the tree and hedge planting to create new habitats, to join up the existing ancient woodland. This potentially will help reverse the historic fragmentation of this important historic site.

With significantly more woodland planting across the whole of the site this will reduce future pressure, reduce the urban heat island effect and increase the resilience of the ancient woodlands to the impacts of climate change and align more with West Berkshire Councils Environment Strategy 2020-2030

Increasing the buffer zones around all woodland to mitigate for the development unless it can demonstrated very clearly how a smaller buffer would suffice.